

Nov. 23. 2005 4:06PM

AP3 Rec'd PCT/PTO 23 NOV 2005

No. 5055 P. 1

International Application No.:
PCT/US03/33811

Attorney Docket No.:
eVionyx-0077USAAON37

RECEIVED
CENTRAL FAX CENTER

NOV 23 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT for Morris, William; Solorzano, Julio)
DO/EO/US:)
INTERNATIONAL) Group Art Unit
APPLICATION NO.: PCT/US03/33811) TBD
SERIAL NO.: TBD **10 / 532614**)
FILING DATE: 25 April 2005) Examiner
INTERNATIONAL) TBD
FILING DATE: 23 October 2003)
PRIORITY DATE)
CLAIMED: 23 October 2002)
FOR: Convection Based Air Flow System for)
Submerged Metal Air Electrochemical Cell)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Thereby certify that this correspondence is being facsimile transmitted under 37 CFR 1.8 to 571-273-8300 on:

November 23, 2005
(Date of Deposit)

Ralph J. Crispino
(Name of Person Mailing Paper)

Signature: *[Signature]* Date: 11/23/05

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED
OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371

Dear Sirs:

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. § 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. § 371.

02/23/2006 SAHNE1 00000002 501648 10532614

01 FC:2617 65.00 DA

BEST AVAILABLE COPY

International Application No.:
PCT/US03/33811

Attorney Docket No.:
eVionyx-0077USAAON37

3. ☐ This is an express request to begin national examination procedures (35 U.S.C. § 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. § 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. § 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. § 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3))
 - a. ☐ are attached hereto.
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has Not expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. § 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13.2 and 37 CFR 1.821 – 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. § 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. § 154(d)(4).
20. ☒ Other items or information: *Copy of Notification of Missing Requirements under 35 USC 371 in the DO/EO/US mailed September 23, 2005*

International Application No.:
PCT/US03/33811

Attorney Docket No.:
eVionyx-0077USAAON37

21. ☒ The following fees are submitted:

APPLICANT IS A SMALL ENTITY

\$65 Surcharge for providing the Oath or Declaration later than 30 months from the priority date;

- a. ☐ A check in the amount of \$ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. in the amount of \$---.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit Card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Respectfully submitted,

Date: November 23, 2005

By: _____
Ralph J. Crispino
Registration No. 46,144
REVEO, INC.
Customer No. 26665
3 Westchester Plaza
Elmsford, New York 10523
Telephone (914) 345-9555
Facsimile: (914) 345-9558



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/532,615	FIRST NAMED APPLICANT William F Morris	ATTY. DOCKET NO. eVionvx-0076USAAON371
INTERNATIONAL APPLICATION NO. PCT/US03/33810		
I.A. FILING DATE 10/23/2003	PRIORITY DATE 10/23/2002	

26665
REVEO, INC.
3 WESTCHESTER PLAZA
ELMSFORD, NY 10523

CONFIRMATION NO. 9427

371 FORMALITIES LETTER

OC000000017087111

Date Mailed: 09/23/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/25/2005
- Oath or Declaration filed on 04/25/2005
- Request for Immediate Examination filed on 04/25/2005
- U.S. Basic National Fees filed on 04/25/2005
- Priority Documents filed on 04/25/2005

The applicant needs to satisfy supplemental fees problems indicated below.

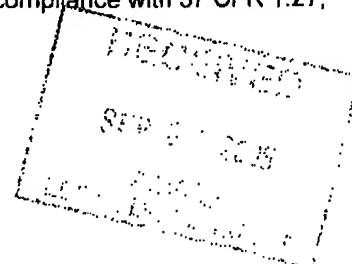
The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - 4.17 Declaration not executed by the first inventor Mr. William F Morris
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.



BEST AVAILABLE COPY

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/532,615	PCT/US03/33810	eVionvx-0076USAAON371

FORM PCT/DO/EO/905 (371 Formalities Notice)